

REMARKS / ARGUMENTS

The present application includes pending claims 1-41, all of which have been rejected. The Applicant has amended claims 1, 3, 5, 8, 11, 13, 15, 18, 21, 23, 25, 28, 32, 34, 36, and 39. Claims 1, 11, 21, and 32 are independent claims. Claims 2-10, 12-20, 22-31, and 33-41 depend on claims 1, 11, 21, and 32, respectively. The Applicant respectfully submits that the claims define patentable subject matter.

Claims 1-41 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0001386, issued to Akiyama (hereinafter, Akiyama). The Applicant respectfully traverses these rejections at least for the reasons previously set forth during prosecution and at least based on the following remarks.

REJECTION UNDER 35 U.S.C. § 102

I. Akiyama Does Not Anticipate Claims 1-41

The Applicant now turns to the rejection of claims 1-41 under 35 U.S.C. 102(b) as being anticipated by Akiyama. With regard to the anticipation rejections under 102(b), MPEP 2131 states that “[a] claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” See Manual of Patent Examining

Procedure (MPEP) at 2131 (internal citation omitted). Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” See id. (internal citation omitted).

A. Rejection of Independent Claim 1 under 35 U.S.C. § 102(b)

With regard to the rejection of independent claim 1 under 102(b), the Applicant submits that Akiyama does not disclose or suggest at least the limitation of “**encrypting the digitally signed secure key utilizing at least a previously generated unreadable digitally signed encrypted key,**” as recited by the Applicant in independent claim 1 (emphasis added).

Regarding claim 1, the Final Office Action states the following:

Akiyama discloses a method for secure key authentication, the method comprising:

generating at a first location (Fig.29, This is a broadcast station where the contents, keys and digital signature for contact information etc, are generated and then sent to receivers) a digital signature (Fig. 5, "Digital signature") of a secure key to obtain a digitally signed secure key (Fig. 5, "work keys", also at paragraph 0107, 'The digital signature is information used to check the authenticity of the contract information, and is used to prevent tampering.", also at paragraph 0107, "The contract information is made up of, e.g., a receiver ID, channel contract information, the number n of work keys, n pairs of work keys and work key identifiers, and digital signature').

and transmitting the digitally signed secure key from the first location (Paragraph 0167, "The transmission processing operation

of an individual control packet by the information distributor apparatus shown in FIG. 29..."). Note: individual control packets contains encrypted contract information (Paragraph 0106, "The individual control packet is comprised of an information identifier, master key identifier, and encrypted contract information, as shown in FIG. 7."), and as established above, contract information contains work keys, as a result, when control packet is transmitted, it contains the signed work keys as well, and thus we can interpret that signed work keys are transmitted from a broadcast device depicted in Fig. 29.

See the Final Office Action at page 5. The Examiner is referred to paragraph 0112 of Akiyama, which states the following, in relevant portions:

[t]he contract information shown in FIG. 5 except for the digital signature is sequentially encrypted for respective blocks using the secret key, and the last block is used as a digital signature.

See Akiyama at paragraph 0112. Therefore, in Akiyama **the contract information, which includes a plurality of work keys, is only encrypted using the secret key. Akiyama does not disclose or suggest that** secure keys are digitally signed, and the resulting signed secure keys are encrypted **utilizing at least a previously generated unreadable digitally signed encrypted key.**

Therefore, the Applicant maintains that Akiyama does not disclose or suggest at least the limitation of "encrypting the digitally signed secure key utilizing at least a previously generated unreadable digitally signed encrypted key," as recited by the Applicant in independent claim 1. Accordingly, independent claim 1 is not anticipated by Akiyama and is allowable. Independent claims 11, 21 and 32

are similar in many respects to the method disclosed in independent claim 1. Therefore, the Applicant submits that independent claims 11, 21 and 32 are also allowable over the references cited in the Office Action at least for the reasons stated above with regard to claim 1.

B. Rejection of Dependent Claims 2-10, 12-20, 22-31 and 33-41

Based on at least the foregoing, the Applicant believes the rejection of independent claims 1, 11, 21 and 32 under 35 U.S.C. § 102(b) as being anticipated by Akiyama has been overcome and requests that the rejection be withdrawn. Additionally, claims 2-10, 12-20, 22-31 and 33-41 depend from independent claims 1, 11, 21 and 32, respectively, and are, consequently, also respectfully submitted to be allowable.

The Applicant also reserves the right to argue additional reasons beyond those set forth above to support the allowability of claims 2-10, 12-20, 22-31 and 33-41.

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CONCLUSION

Based on at least the foregoing, the Applicant believes that all claims 1-41 are in condition for allowance. If the Examiner disagrees, the Applicant respectfully requests a telephone interview, and requests that the Examiner telephone the undersigned Attorney at (312) 775-8176.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

A Notice of Allowability is courteously solicited.

Respectfully submitted,

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